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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह ग्रन्थ संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW

(Legislative Department)

NOTIFICATION

New Delhi, the 19th April 1968

S.O. 1433—In exercise of the powers conferred by section 189 of the Representation of the People Act, 1951 (43 of 1951), the Central Government, after consulting the Election Commission, hereby makes the following rules further to amend the Conduct of Elections Rules, 1961, namely:—

1. **Short title.**—These rules may be called the Conduct of Elections (Amendment) Rules, 1968.

2. **Substitution of rule 39.**—For rule 39 of the Conduct of Elections Rules, 1961, hereinafter referred to as the said Rules, the following rule shall be substituted, namely:—

“39. *Maintenance of secrecy of voting by electors within polling station and voting procedure.*—(1) Every elector to whom a ballot paper has been issued under rule 38 or under any other provision of these rules, shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) The elector on receiving the ballot paper shall forthwith—

- (a) proceed to one of the voting compartments;
- (b) there make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;
- (c) fold the ballot paper so as to conceal his vote;
- (d) if required, show to the presiding officer the distinguishing mark on the ballot paper;

- (e) insert the folded ballot paper into the ballot box; and
- (f) quit the polling station.
- (3) Every elector shall vote without undue delay.
- (4) No elector shall be allowed to enter a voting compartment when another elector is inside it.
- (5) If an elector to whom a ballot paper has been issued, refuses, after warning given by the presiding officer, to observe the procedure as laid down in sub-rule (2), the ballot paper issued to him shall, whether he has recorded his vote thereon or not, be taken back from him by the presiding officer or a polling officer under the direction of the presiding officer.
- (6) After the ballot paper has been taken back, the presiding officer shall record on its back the words "Cancelled: voting procedure violated" and put his signature below those words.
- (7) All the ballot papers on which the words "Cancelled: voting procedure violated" are recorded, shall be kept in a separate cover which shall bear on its face the words "Ballot papers: voting procedure violated".
- (8) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5), may be liable, the vote, if any, recorded on such ballot paper shall not be counted.

3. Amendment of rule 49.—In rule 49(3)(d) of the said Rules, for the words, brackets and figures "sub-rule (1) of rule 39" the words, brackets and figures "sub-rule (2) of rule 39" shall be substituted.

[No. F.7(3)/68-Leg.II.]

N. D. P. NAMBOODIRIPAD, Jt. Secy.